

Order

Michigan Supreme Court
Lansing, Michigan

April 19, 2019

Bridget M. McCormack,
Chief Justice

156616

David F. Viviano,
Chief Justice Pro Tem

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 156616
COA: 338877
Berrien CC: 2015-005091-FH

JOHN ANTONYA MOSS,
Defendant-Appellant.

On March 6, 2019, the Court heard oral argument on the application for leave to appeal the August 21, 2017 order of the Court of Appeals. On order of the Court, the application is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. On remand, the Court of Appeals shall specifically address whether a family relation that arises from a legal adoption, see MCL 710.60(2) (“ . . . After entry of the order of adoption, there is no distinction between the rights and duties of natural progeny and adopted persons. . . .”) (1) is effectively a “blood” relation, as that term is used in MCL 750.520b – MCL 750.520e; or (2) is a relation by “affinity,” as that term is used in MCL 750.520b – MCL 750.520e, see *Bliss v Caille Bros Co*, 149 Mich 601, 608 (1907); *People v Armstrong*, 212 Mich App 121 (1995); *People v Denmark*, 74 Mich App 402 (1977).

We do not retain jurisdiction.



t0416

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 19, 2019

Clerk